

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAMES BROWN,

Plaintiff,

v.

9:05-CV-1466

MICHELLE BASCOMB,¹ Dentist Assistant;
SALLY REAMS, IGP Supervisor; and DR.
EDWARD MARRA, Dentist,

Defendants.

APPEARANCES:

OF COUNSEL:

JAMES BROWN
82-C-0099
Attica Correctional Facility
Post Office Post 149
Attica, New York 14011
Plaintiff Pro Se

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State of New York
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Albany, New York 12224-0341

STEPHEN M. KERWIN, ESQ.
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NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge David R. Homer, duly filed on the 22nd day of August 2008. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

¹The proper spelling of this defendant's first name is "Barcomb." See Barcomb Decl. (Docket No. 35-4). The correct spelling will be used herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby adopted in its entirety.

2. The Defendants' motion for summary judgment (Docket No. 35) is granted in all respects as to Brown's First and Fourteenth Amendment claims and judgment be entered in favor of Reams and Reams be terminated from this action, and denied in all respects as to Brown's Eighth Amendment claims against Marra and Barcomb.

3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: September 16, 2008
Syracuse, New York


Norman A. Mordue
Chief United States District Court Judge